REMARKS

Claims 1-17 are pending in the application. The Examiner has objected to the drawings. The Examiner objected to Claim 17 based on informalities. The Examiner rejected Claim 17 under 35 U.S.C. §112, second paragraph as being indefinite. The Examiner has rejected Claims 1, 3-5, 7, 9 and 10 under 35 U.S.C. §102(e) as being anticipated by Belaiche (U.S. Patent 6,501,748). The Examiner has rejected Claims 2 and 8 under 35 U.S.C. §103(a) as being unpatentable over Belaiche in view of Andersen et al. (U.S. Patent 5,674,003). The Examiner has rejected Claims 12-15 under 35 U.S.C. §103(a) as being unpatentable over Belaiche in view of Davis et al. (U.S. Patent 6,781,971). The Examiner has rejected Claim 16 under 35 U.S.C. §103(a) as being unpatentable over Belaiche and Davis et al., and further in view of Berrou, C. et al., Near Shannon Limit Error-Correcting Coding And Decoding: Turbo Codes, IEEE International Conference on Communications, Volume 2, 23-26, May 1993, Pages: 1064-1070, vol. 2 (Berrou). The Examiner has rejected Claims 6 and 11 under 35 U.S.C. §103(a) as being unpatentable over Belaiche in view of Kinjo et al. (U.S. Publication 2003/0133497). The Examiner has rejected Claim 17 under 35 U.S.C. §103(a) as being unpatentable over Belaiche and Davis et al. in view of Kinjo et al.

Amended Figure 3 is attached hereto.

On the outset, please note that regarding Claims 6 and 11 in paragraph 40 and Claim 17 in paragraph 45, the Examiner states that a certified English language translation of the priority document Korean Patent Application 2001-6535 needs to be filed to rely on the priority date of the foreign application. A certified English language translation is filed herewith. Based on at least the foregoing withdrawal of Kinjo et al. as a cited reference and the rejections to Claims 6 and 11 is respectfully requested.

Regarding the objection to the drawings, it is respectfully submitted that in amended Figure 3 attached hereto "384" has been changed to read "3840" in each of steps 330 and 350 in FIG. 3. Withdrawal of the objection is respectfully requested.

Regarding the objection to Claim 17, "wherein further comprises" has been amended to read, "further comprising" as suggested by the Examiner. Amended Claim 17 is set forth above. Withdrawal of the objection of Claim 17 is respectfully requested.

The Examiner rejected Claim 17 under §112, second paragraph for being indefinite.

Claim 17 has been amended to delete "which the mobile station may receive" from the claim, as set forth above. Withdrawal of the rejection of Claim 17 is respectfully requested.

Regarding the rejection of independent Claim 1, the Examiner states that Belaiche anticipates all of the elements of this claim. Applicants respectfully disagree. Belaiche discloses a method for balancing the ratio EB/I in a service multiplexing telecommunication system using the same. Claim 1 recites that the information is separated into first and second data streams; Belaiche does not separate information into data streams. Claim 1 recites that first and second code symbols are generated; Belaiche does not generate first and second code symbols. Claim 1 recites that both a repeating and a puncturing process are performed; Belaiche discloses that a repeating _or_ a puncturing process is performed (see Belaiche, col. 4, line 61, "either by repetition or by puncturing"). Claim 1 recites that the repeating and puncturing is performed based on priority levels; Belaiche's puncturing _or_ repeating is based on an algorithm based on the number of bits to be processed. Claim 1 recites that the number of repeated code symbols are equal to the number of punctured code symbols; Belaiche _does not_ repeat _and_ puncture so these numbers cannot be equated in any way or manner. For at least the foregoing, Claim 1 cannot be anticipated by Belaiche. Based on at least the foregoing withdrawal of the rejection to Claim 1 is respectfully requested.

Regarding the rejection of independent Claim 7, the Examiner states that Belaiche anticipates all of the elements of this claim. Applicants respectfully disagree. Claim 7 recites that transmission data streams are classified by priority level; Belaiche does not actually classify any information. Claim 7 recites separating each transmission data stream into data streams of predetermined lengths according to characteristics of the data streams; Belaiche does not separate a data stream into more than one data stream. Claim 7 recites segmenting the separated data streams according to a data rate; Belaiche does not segment any data. Claim 7 recites encoding the segmented data at a predetermined code rate; Belaiche does not encode _segmented_ data. Claim 7 recites repeating code symbol sequences with higher priority levels, and puncturing code symbol sequences with lower priority levels; as stated above, Belaiche does not repeat _and_ puncture, and any repeating _or_ puncturing is based on an algorithm based on numbers of bits to be processed. Claim 7 recites that the number of repeated code symbols are equal to the number

of punctured code symbols; Belaiche *does not* repeat *and* puncture so these numbers cannot be equated in any way or manner. For at least the foregoing, Claim 7 cannot be anticipated by Belaiche. Based on at least the foregoing withdrawal of the rejection to Claim 7 is respectfully requested.

Regarding the rejection of independent Claim 12, the Examiner states that Claim 12 is unpatentable over Belaiche in view of Davis et al. Davis et al. discloses a system and method for prioritizing traffic channel messages. For at least the reasons set forth above with respect to Claim 7, Belaiche cannot render Claim 12 unpatentable. Davis et al. does not cure any of the defects of Belaiche. For at least the foregoing, Claim 12 cannot be deemed unpatentable over Belachi in view of Davis et al. Based on at least the foregoing withdrawal of the rejection to Claim 12 is respectfully requested.

Independent Claims 1, 7 and 12 are believed to be in condition for allowance. Without conceding the patentability per se of dependent Claims 2-6, 8-11 and 13-17, these are likewise believed to be allowable by virtue of their dependence on their respective amended independent claims. Accordingly, reconsideration and withdrawal of the rejections of dependent Claims 2-6, 8-11 and 13-17 is respectfully requested.

Accordingly, all of the claims pending in the Application, namely, Claims 1-17, are believed to be in condition for allowance. Should the Examiner believe that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicants' attorney at the number given below.

Respectfully submitted,

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